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DATE July 30, 2004

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME Examiner Alexander H. Spiegler

FAX 703.872.9306

CLIENT/MATTER 60019630-0038

FROM David E. Crawford, Jr.

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David E. Crawford, Jr.

July 30, 2004

Date

Type of Paper transmitted: Response to Restriction Requirement

Applicant's Name: Wayne M. Barnes

Serial No. (Control No.): 10/091,784

Examiner: Alexander H. Spiegler

Filing Date March 6, 2002

Art Unit: 1637

Application Title: Mineral Hot Start PCR Method

23149465V-1

Original will NOT be mailed

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Wayne M. Barnes et al.

Application No.: 10/091784

Filed: March 6, 2002

For: MINERAL HOT START PCR METHOD)

Group Art Unit : 1645

Examiner:

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BOX NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This Amendment is filed in response to the Office Action of June 30, 2004. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action, the examiner requested an election of claims pursuant to a restriction requirement under 35 U.S.C. §121 between Group I claims 1-7 and 14 drawn to kits comprising a source of phosphate ions and a source of magnesium ions, classified in class 422, subclass 61 and Group II claims 8-13 drawn to kits comprising a magnesium salt, classified in class 435, 91.1 or Class 424, subclass 681.

In response, applicant hereby elects examination of Group I claims 1-7 and 14 drawn to kits comprising a source of phosphate ions and a source of magnesium ions for examination on the merits without traverse.

The Commissioner is hereby authorized to withdraw any applicable fees for this submission from Deposit Account 19-3140.

Respectfully submitted,

Dated: July 30, 2004

By:

David E. Crawford, Jr., Reg. No. 38,118
Customer No. 26263

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